

525 Rec'd PCT/PTO 11 SEP 2000

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Doc. No. 99914

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent	)	Before the Examiner
application of:	)	
John P. Vanden Heuvel et al.	)	
	)	Art Unit
Serial No. 09/555,987	)	
Filed June 7, 2000	)	
rica June 7, 2000	)	
METHODS AND COMPOSITIONS FOR	)	September 5, 2000
TREATING DIABETES	)	

### SUBMISSION OF SMALL ENTITY STATEMENT

Commissioner for Patents Washington, D.C. 20231

Sir:

Submitted herewith are the Verified Statements (Declarations) Claiming Small

Entity Status - Small Business Concern.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on **September 5, 2000**.

Jason J. Schwartz

Name of Registered Representative

Signature

Date of Signature

09/13/2000 ERIMANDO 00000052 09555987

01 FC:254 02 FC:215 65.00 OP 55.00 OP No fees are believed to be due at this time, however, should there be any fees deemed to be due, please charge our Deposit Account No. 23-3030.

Respectfully submitted

y: fur

Jason J. Schwartz, Reg. No. 43,910

Woodard, Emhardt, Naughton,

Moriarty & McNett

Bank One Center/Tower

111 Monument Circle, Suite 3700

Indianapolis, Indiana 46204-5137

(317) 634-3456

ADDRESS OF PERSONASIONING

SIGNATURE

PTO/SB/11 (12-97) ved for use through 9/30/00, OMB 0651-0031 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Dock † Number (Optional) STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(d))--NONPROFIT ORGANIZATION 7024-465 Applicant, Patent e, or Identifier: JOHN P. VANDEN HEUVEL, et al. Application or Patent No.: 09/555,987 Filed or Issued: June 7, 2000 Title: METHODS AND COMPOSITIONS FOR TREATING DIABETES I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below: NAME OF NONPROFIT ORGANIZATION The Penn State Research Foundation ADDRESS OF NONPROFIT ORGANIZATION 304 Old Main University Park, PA 16802 TYPE OF NONPROFIT ORGANIZATION: ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION ▼ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA (NAME OF STATE (CITATION OF STATUTE ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA (NAME OF STATE (CITATION OF STATUTE I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the Invention described in: the specification filed herewith with title as listed above. the application identified above. the patent identified above. I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37CFR 1.9(c) If that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). Each person, concern, or organization having any rights in the invention is listed below: no such person, concern, or organization exists. each such person, concern, or organization is listed below. Joint ownership with Purdue Research Foundation, Office of Technology Commercialization, 1291 Cumberland Avenue, West Lafayette, IN 47906 I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)) NAME OF PERSON SIGNING Thomas J. Monahan (Reg. No. 29,835) TITLE IN ORGANIZATION OF PERSON SIGNING University Legal Counsel, Intellectual Property Office

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113 Technology Center, University Park, PA 16802-7000

DATE August 31, 2000

# TECH COMMERCIALIZATION PURDUE RESEARCH

TECH COMMERCIALIZATION FAX NO. 31

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Statement Claimin Small entity Status (37 CFR 1.5(f) & 1.27(d))—Nonprofit Drganizati N	Docket Number (Optional) 7024-465/207899
Applicant, Patenice, orldeniller. John P. Vanden Heuvel.	1024-403/20893
Application or Patent No.: 09/555, 987	
Flodorissued; June 7, 2000	
TREE METHODS AND COMPOSITIONS FOR TREATING DIARETES	
hereby state that I am an official empowered to act an behalf of the nonprofit organization. Purdue Research Foundation ADDRESS OF NONPROFIT ORGANIZATION Office of Icchnology Control Competition Address of Montrol Avenue, Wost Lafayette, IN 47905	OTI I
TYPE OF NONPROFIT ORGANIZATION:  U LINNERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION	
EATAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) an	nd 501(a)(3))
NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE (NAME OF STATUTE)	E UNITED STATES OF AMERICA
Would qualify as tax exempt under internal revenue service codi if located in the united states of America	E (28 U.S.C. 501(a) and 501(c)(3))
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I hereby state that the compress organization identified above qualifies as a nonpress of 1.9(a) for purposes of paying rectuesed fees to the United States Patent and Trademark Office in:	organization as defined in 37 CFR regarding the invention described
the specification filed herewith with title as Ested above.  The application identified above.  The patent identified above.	
I hereby state that rights under contract or law have been conveyed to and remain regarding the above identified invention. If the rights held by the contract or context, or organization is concern, or organization having rights in the Invention must file separate statements as to that no rights to the invention are held by any person, other than the wrester, who would not our discover of the first concern which would not our under 37 CFR 1.9(c) if that person made the invention, or by gift concern which would not outlined 37 CFR 1.8(d) or a nonprofit organization under 37 CFR 1.9(e).	एक कर्म करवेपक्षण, क्यने गर्न्सपरिक्यां क्षेत्रक कार्या कार्यक्र सार्व
Each person, concern, or organization having any rights in the invention is listed bei	<b>.</b>
Cino such person, concern, or organization exists.  The Penn State University, 111 Technology Center, University, 111 Technology Center, University, 110 Technology Center, 110 Technology C	iversity Park, PA
l acknowlerge the duty to file, in this application or patent, notification of any chan entitlement to small entity status prior to paying, or at the firm of paying, the earliest of the fiduce after the date on which status as a small entity is no longer appropriate. (37 GFR 1.28)	
NAME OF PERSON SIGNING Bruce L. Pershing	
TITLE IN ORGANIZATION OF PERSON SIGNING COPPORATE Secretary Purdua Research Foundation, Utilian	
ADDRESS OF PERSON SIGNING Commercialization, 1291 Cumberlan	nd Ave. W. Lafavette I
SIGNATURE Struct of DATE 8/30/00	47906
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### 7024465PUR99 Attorney Docket Number **DECLARATION FOR UTILITY OR** John P. Vanden Heuve First Named Inventor DESIGN PATENT APPLICATION COMPLETE IF KNOWN (37 CFR 1.63) **Application Number** <u>09 /</u>555,987 June 7, 2000 Filing Date ☐ Declaration Declaration Submitted after Initial Submitted OR Group Art Unit Filing (surcharge (37 CFR 1.16 (e)) with Initial Filing Examiner Name required)

As a below named inventor, I hereby declare that:									
My residence, post office address, and citizenship are as stated below next to my name.									
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:									
METHODS AND	COMPOSITIONS	FOR TREATING D	DIABETES						
the specification of which	Tid	le of the Invention)							
is attached hereto									
OR  X was filed on (MM/D)	pmm 12/11/19	98	tad States Assiles	tion Number or PCT Inte					
[23] Was mod on (Mille)	5/11/1/	as Unii	ied States Applica	tion Number of PC1 Inte	ernational				
Application Number PCT	US98/26469 and w	as amended on (MM/DD/	M/A·	(if a	policable).				
I hereby state that I have re	viewed and understand the	contents of the above ide	ntified specificatio	n, including the claims,	as				
• •	nt specifically referred to ab				ĺ				
I acknowledge the duty to d	isclose information which is	material to patentability a	s defined in 37 CF	R 1.56.					
I hereby claim foreign priorit certificate, or 365(a) of any America, listed below and ha or of any PCT international a	PCT international application version identified below, by	in which designated at le checking the box, any for	east one country (	other than the United S	lates of				
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Atta YES NO					
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Additional foreign applica									
Application Number	nder 35 U.S.C. 119(e) of am		al application(s) lis	ted below.					
60/069, 567	12/12/19	97	Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.						
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(Page 1 of 2)

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# **DECLARATION**

# R gist r d Practiti ner Inf rmation (Supplem ntal Sh t)

Name	Registration	<b>M</b>	Registration
	Number	Name	Numb r
Harold R. Woodard	16,214		
C. David Emhardt	18,483		•
Joseph A. Naughton, Jr.	19,814		,
John V. Moriarty	26,207		
John C. McNett	25,533		
Thomas Q. Henry	28,309		
James M. Durlacher	28,840		
Charles R. Reeves	28,750		
Vincent O. Wagner	29,596	·	
Steve Zlatos	30,123		
Spiro Bereveskos	30,821		
William F. Bahret	31,087		
Clifford W. Browning	32,201		
R. Randall Frisk	32,221		
Daniel J. Lueders	32,581		ļ
Kenneth A. Gandy	33,386		
Timothy N. Thomas	35,714		
Kerry P. Sisselman	37,237		
Kurt N. Jones	37,996		
John H. Allie	39,088		
Holiday W. Banta	40,311		
Troy J. Cole	35,102		j .
L. Scott Paynter	39,797		
J. Andrew Lowes	40,706		
Charles J. Meyer	41,996		
Darrin Wesley Harris	40,636		
Matthew R. Schantz	40,800		·
Gregory B. Coy	40,967	•	
Lisa A. Hiday	40,036		
John V. Daniluck	40.581		l
Christopher A. Brown	41,642	•	
C. John Brannon	44,557		
Jason J. Schwartz	43,910	•	
Arthur J. Usher IV	41,359		
Douglas A. Collier	43,556		
Brad A. Schepers	45,431		
R. Craig Tucker	45,165		
Scott J. St vens	<del>29,446</del>	i	
James B. Myers	42,021		i
John M. Bradshaw	P-46,573		
J. W. Diaddiaw	1-70,010		1
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# **Utility or Design Patent Application**

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 385(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose

	inal or PCT international filling date	or and approaudre.		vecand a	ASTREMENTS DEL	ween the	rising date	or the p	nor application
ļ .	J.S. Parent Application o Number	r PCT Parent		rent Fil	ling Date			Patent applic	Number
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Name .	Kenneth A. Gandy						•		
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Address	Bank One Center/	Tower, 111 1	Monumen	nument Circle, Suite 3700					
City	<u>Indianapolis</u>		SI	ate	IN_	ZIP	46204		
Country	USA		(317) 6			Fax	(317)		
punishable by	are that all statements made here true; and further that these stat fine or imprisonment, or both, u any patent issued thereon.	in of my own knowle ements were made nder 18 U.S.C. 1001	edge are tru with the kno I and that s	e and tha wledge th uch willful	it all statem at willful fai faise state	ents mad se stater ments m	de on inform ments and t ay jeopardiz	nation au he like s te the v	nd belief are so made are alidity of the
Name of S	ole or First Inventor:			petition	has been	filed for	this unsign	ned inve	entor
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	John P		$\sim$	anden	Heuve1				
Inventor's Signature	John 8 11	-X1				•.	Di	ate .	7/18/00
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supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

 $oxed{\Omega}$ Additional inventors are being named on the 1





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valid OMB control number.

# **DECLARATION**

## ADDITIONAL INVENTOR(S) Supplemental Sheet Page \_\_\_ of \_\_\_

Name of Additional Joint inventor, if any:  A petition has been filed for this unsigned inventor										
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		<del></del>							!	
Martha A.		<u></u>	7)	_Be	lury			<i>&gt;</i>	Т	1 1
Inventor's Signature	Manue	<u>, U</u>	_56	<u> </u>	щ	<b>y</b>		Date	- 13	7/26/00
Residence: City	Redmond	State	WA K	UP <sub>c</sub>	ountry	USA		Citizensi	Np [	JS
Poet Office Address	9010 172nd Avenue NE									
Post Office Address										
City	Redmond	State	WA		ZIP S	8052	Country	USA		
Name of Additional Joint Inventor, if any:  A petition has been filed for this unsigned inventor										
Given Nar				Family Nam	e or Si	umame				
Louise W,	e W, Peck						, ,			
Inventor's Signature								Da	le _	
Residence: City	Moscow .	State	ID	С	ountry	USA		Citizer	ship	US
Post Office Address	430 E. Lewis St	reet								
Post Office Address										
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Name of Addition	nal Joint Inventor, if an	ıy:		<u></u>	\ petitior	n has been filoc	for this	s unsign	ed Inv	rentor
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# ADDITIONAL INVENTOR(S) Supplemental Sheet Page \_\_\_ of \_\_\_

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Name of Addition	nai Joint inventor, if an	y:	·		A petitio	n has been fi	led for th	nis unsign	ed inv	entor	
Given Na	me (first and middle [if any]	<u></u> )				Family N	ame or S	Sumame			
Martha A,	•			В	elurv						
Inventor's					<u> </u>			Sata			
Signature  Residence: City	Redmond	State	WA		Country USA			Date	Np i	US .	
Poet Office Address	9010 172nd Avenu										
Post Office Address		_									
City	Redmond	State	WA		ZIP	98052	Countr	USA			
Name of Addition	Name of Additional Joint Inventor, if any:  A petition has been filed for this unsigned inventor										
Given Na	me (first and middle [If any]	)				Family N	ame or	Surname			
Louise W,					Pecl	<u>.</u> .					
Inventor's Signature	Louis W Puch								te	7/24/26	
Residence: City	Moscow .	State	ID J		Country	USA		Citizer	nship	US	
Post Office Address	430 E. Lewis St	reet									
Post Office Address											
City	Moscow	State	ID		ZIP	83843	Cou	ntry U	ISA	•	
Name of Addition	nal Joint Inventor, if an	y:			A petitio	n has been f	led for th	nis unsign	red inv	entor	
Given Na	me (first and middle (if any)	)				Family N	ame or	Surname			
Inventor's Signature		·						Da	te		
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. 7024465PUR99 Attorney Docket Number DECLARATION FOR UTILITY OR John P. Vanden Heuve First Named Inventor DESIGN PATENT APPLICATION COMPLETE IF KNOWN (37 CFR 1.63) Application Number Filing Date ☐ Declaration ☐ Declaration Submitted Submitted after Initial Group Art Unit Filing (surcharge (37 CFR 1.16 (e)) with Initial Filing Examiner Name required) As a below named inventor, I hereby declare that: My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are fisted below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHODS AND COMPOSITIONS FOR TREATING DIABETES the specification of which (Title of the Invention) is attached hereto 12/11/1998 was filed on (MM/DD/YYYY) as United States Application Number or PCT International Application Number PCT/US98/26469 and was amended on (MMDD/YYYY) N/A (if apolicable). I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1,56. I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filling date before that of the application on which priority is claimed. **Certifled Copy Attached?** Prior Foreign Application Foreign Filing Date **Priority** Country Not Claimed Number(s) (MM/DD/YYYY) YES NO US98/26469 PCT 12/11/1998 

Application Number(s)

Filing Date (MM/DD/YYYY)

Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached heret.

Additional foreign application numbers are fisted on a supplemental priority data sheet PTO/S8/028 attached hereto:

(Page 1 of 2)

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	Kenneth A, Candy #33,386										
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PTC/SB/02A (3-97)

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### **DECLARATION**

### ADDITIONAL INVENTOR(S) Supplemental Sheet Page \_\_\_ of \_\_\_

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Name of Additio	nal Joint Inventor, if ar	ny:			A petitic	n has been file	d for th	nis unsig	ned inv	entor
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Martha A,		•		Be	lury					
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Name of Additional Joint Inventor, if any:  A petition has been filed for this unsigned inventor										
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Louise W, Peck										
Inventor's Signature								Da	ite	
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Application Number(s)

**DECLARATION FOR UTILITY OR** 

PTO/SB/01 (12-97)

John P. Vanden Heuvel

7024465PUR99

Additional provisional application

numbers are listed on a supplemental priority data sheet PTO/SB/02B attached heret .

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Attorney Docket Number

### First Named Inventor DESIGN PATENT APPLICATION COMPLETE IF KNOWN (37 CFR 1.63) Application Number Filing Date ☐ Declaration □ Declaration OR Submitted Submitted after Initial Group Art Unit Filing (surcharge (37 CFR 1.16 (e)) with Initial Filing **Examiner Name** required) As a below named inventor, I hereby declare that: My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is fisted below) or an original, first and joint inventor (if plural names are fisted below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHODS AND COMPOSITIONS FOR TREATING DIABETES the specification of which (Title of the Invention) is attached hereto OR was filed on (MM/DD/YYY) 12/11/1998 X as United States Application Number or PCT International Application Number PCT/US98/26469 and was amended on (MM/DD/YYY) N/A (if applicable). I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filling date before that of the application on which priority is claimed. **Certified Copy Attached? Priority** Prior Foreign Application Foreign Filing Date Country Not Claimed (MM/DD/YYYY) Number(s) YES US98/26469 PCT 12/11/1998 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto: I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

(Page 1 of 2)

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United States	I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose and the national or PCT international filing date of this application.									
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